



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HEDGEYE RISK MANAGEMENT, LLC,

Plaintiff,

- against -

DARIUS DALE, et al.

Defendants.  
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21-CV-3687 (ALC) (RWL)  
22-CV-1113 (ALC) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

As discussed during the discovery conference held by telephone on July 19, 2022:

1. Plaintiff confirmed that it will not proceed with the depositions scheduled for this week and that were the subject of the Court's order at Dkt. 291 (as clarified at Dkt. 293). Whether there will be legal consequences from Plaintiff's voluntary decision not to proceed with the depositions can be determined if and when there is occasion to do so.

2. The parties shall meet and confer to address whether and the extent to which Plaintiff will reimburse Defendants (including the Terman Defendants) for any expenses incurred by them in traveling or arranging travel for the depositions that were scheduled to take place in California but which Plaintiff cancelled.

3. In light of the order issued by Judge Carter at Dkt. 302, the deadline for fact discovery is extended to December 2, 2022, so as to accommodate the addition of Terman and Solstein as defendants.

This resolves the motions at Dkt. 303 and 304.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: July 19, 2022  
New York, New York

Copies transmitted this date to all counsel of record.